

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

IXI MOBILE (R&D) LTD., et al.,  
Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.,  
Defendants.

-----X

**14-cv-4355 RJS  
ECF CASE**

IXI MOBILE (R&D) LTD., et al.,  
Plaintiffs,

v.

BLACKBERRY LTD, et al.,  
Defendants.

-----X

**14-cv-4428 RJS  
ECF CASE**

IXI MOBILE (R&D) LTD., et al.,  
Plaintiffs,

v.

APPLE INC.  
Defendant.

-----X

**JOINT CLAIM TERMS CHART  
PURSUANT TO LOCAL PATENT RULE 11**

Pursuant to Local Patent Rule 11 and the Case Management Plan and Scheduling Order, Plaintiffs IXI IP, LLC and IXI Mobile (R&D) Ltd. and Defendants BlackBerry Limited, BlackBerry Corporation, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Apple Inc. hereby respectfully submit this Joint Claim Terms Chart for the Court's consideration. Attached as Appendix A is a list of disputed claim terms for U.S. Patent Nos. 7,039,033 (the "'033 Patent"), 7,295,532 (the '532 Patent"), and 7,016,648 (the '648 Patent) and the parties' proposed constructions for each, along with cross references to the invalidity and infringement contentions. For claim terms for which construction is not specifically requested, the parties agree that such terms should be given their plain and ordinary meaning to a person of ordinary skill in the art.

BY: /s/ Thomas S. Biemer

Thomas S. Biemer, Esquire  
Gary D. Colby, Esquire  
Joshua D. Wolson, Esquire  
John J. Higson, Esquire  
Mark W. Halderman, Esquire  
Dilworth Paxson LLP  
1500 Market Street, Suite 3500(E)  
Philadelphia, PA 19102  
Email: tbiemer@dilworthlaw.com  
Email: gcolby@dilworthlaw.com  
Email: jwolson@dilworthlaw.com  
Email: jhigson@dilworthlaw.com  
Email: mwhalderman@dilworthlaw.com

Gregory A. Blue, Esquire  
Dilworth Paxson LLP  
99 Park Avenue, Suite 320  
New York, NY 10016  
Email: gblue@dilworthlaw.com

*Attorney for Plaintiffs*  
*IXI MOBILE (R&D) Ltd. and IXI IP, LLC*

BY: /s/ Todd M. Friedman

Gregory S. Arovas, P.C.  
Todd M. Friedman, P.C.  
James E. Marina  
Kirkland & Ellis LLP  
601 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900  
Email: greg.arovas@kirkland.com  
Email: todd.friedman@kirkland.com  
Email: james.marina@kirkland.com

David Rokach  
Kirkland & Ellis LLP  
300 N. LaSalle Avenue  
Chicago, Illinois 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200  
Email: david.rokach@kirkland.com

*Attorneys for Defendants*  
*Samsung Electronics Co., Ltd. and*  
*Samsung Electronics America, Inc.*

BY: /s/ Marshall Beil

Jason W. Cook, Esquire  
McGuireWoods LLP  
2000 McKinney Avenue, Suite 1400  
Dallas, TX 75201

Marshall Beil, Esquire  
McGuireWoods LLP  
1345 Avenue of the Americas  
7th Floor  
New York, NY 10105

Brian Charles Riopelle, Esquire  
Derek H. Swanson, Esquire  
McGuireWoods LLP  
One James Center  
901 East Cary Street  
Richmond, VA 23219

Email: jcook@mcguirewoods.com  
Email: mbeil@mcguirewoods.com  
Email: briopelle@mcguirewoods.com  
Email: dswanson@mcguirewoods.com

*Attorneys for Defendants  
Blackberry Corporation and  
Blackberry Limited*

BY: /s/ Gregory T. Chuebon

Harrison J. Frahn IV  
Patrick E. King  
SIMPSON THACHER & BARTLETT LLP  
2475 Hanover Street  
Palo Alto, California 94304  
Email: hfrahn@stblaw.com  
Email: pking@stblaw.com

Gregory T. Chuebon  
SIMPSON THACHER & BARTLETT LLP  
425 Lexington Avenue  
New York, NY 10017  
Email: gchuebon@stblaw.com

*Attorneys for Defendant Apple Inc.*

## APPENDIX A

## I. '033 PATENT

Asserted Claims: 1, 4-7, 12, 14-15, 22-23, 25, 28, 34, 39-40, 42, and 46

| Term No. | Disputed Term  | Plaintiffs' Proposal   | Defendants' Proposal  | Citations to Infringement Contentions   | Citations to Invalidity Contentions   |
|----------|--|--|---|---|---|
| '033-1   | "service repository software component"<br>(Claims 1, 4, 14, 22, 25)                                       | No construction necessary.<br><br>Alternatively,<br><br>"service discovery software component" | "software component that stores a collection of information to allow applications on multiple devices to discover what services are offered by a network"   | <u><b>Samsung</b></u><br>Appx A at 4, 10, 17, 18, 23, 26, 33, 34, 36, 38, 39, 41, 43, 44, 48, 49, 63, 66<br><u><b>BlackBerry</b></u><br>Appx A at 3, 5, 9, 13, 17, 18, 20, 25, 26, 27, 29, 34, 39<br><u><b>Apple</b></u><br>Appx A at 4, 7, 8, 14, 16, 18, 19, 20, 22, 30, 31, 32, 33, 39, 44 | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-8 and Exs. 033-10 through 033-21 (claim elements 1.d, 4.a, 14.a, 22.a, 25.c) |
| '033-2   | "the first wireless device communicates with the cellular network and receives the first short-range radio | No construction necessary.   | "the first wireless device alternately either communicates with the cellular network or receives a short-range radio signal, but not both at the same time" | <u><b>Samsung</b></u><br>Appx A at 3<br><u><b>BlackBerry</b></u><br>Appx A at 2<br><u><b>Apple</b></u><br>Appx A at 3   | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-8 and Exs. 033-10 through 033-21 (claim element 1.a)                         |

| Term No. | Disputed Term  | Plaintiffs' Proposal  | Defendants' Proposal  | Citations to Infringement Contentions   | Citations to Invalidity Contentions   |
|----------|--|---|---|---|---|
|          | signal” (Claim 1)  |   |   |   |   |
| '033-3   | “a service repository software component to identify a service provided by the second wireless device” (Claim 1) | <p>No construction necessary.</p> <p>Alternatively, if the Court decides this term is governed by 35 U.S.C. §112 (f):</p> <p><u>Function</u>: “to identify a service provided by the second wireless device”</p> <p><u>Structure</u>: Service repository 704 embodied as software components described at '033 [5: 65-6: 2], Fig. 7, and/or Bluetooth Service Discovery Protocol, and statutory equivalents</p> | Means-plus-function term with no disclosure of a corresponding structure: Indefinite.           | <p><u>Samsung</u><br/>Appx A at 4</p> <p><u>BlackBerry</u><br/>Appx A at 3</p> <p><u>Apple</u><br/>Appx A at 4</p>                | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-8 and Exs. 033-10 through 033-21 (claim element 1.d) |
| '033-4   | “thin terminal” (Claim 7, 46)  | <p>No construction necessary.</p> <p>Alternatively,</p> <p>“a relatively low power peripheral to an application server”</p>   | Indefinite.   | <p><u>Samsung</u><br/>Appx A at 35, 66</p> <p><u>BlackBerry</u><br/>Appx A at 15, 39</p> <p><u>Apple</u><br/>Appx A at 20, 45</p> | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-8 and Exs. 033-10 through 033-21 (claims 7 and 46)   |
| '033-5   | “selectively transfer information . . . between the first  | No construction necessary.  | “selectively transfer information . . . between either the first wireless device and the second | <p><u>Samsung</u><br/>Appx A at 48</p> <p><u>BlackBerry</u><br/>Appx A at 24</p>  | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-   |

| Term No. | Disputed Term   | Plaintiffs' Proposal   | Defendants' Proposal  | Citations to Infringement Contentions  | Citations to Invalidity Contentions  |
|----------|---|--|---|--|--|
|          | wireless device and the cellular network" (Claim 25)  |  | wireless device, or between the second wireless device and the cellular network, but not both at the same time" | <u>Apple</u><br>Appx A at 28   | 8 and Exs. 033-10 through 033-21 (claim element 25.b)  |
| '033-6   | "a service repository software component that identifies a plurality of services, in the short distance wireless network, associated with a plurality of wireless devices" (Claim 25) | <p>No construction necessary.</p> <p>Alternatively, if the Court decides this term is governed by 35 U.S.C. §112 (f):</p> <p><u>Function</u>: "identifies a plurality of services, in the short distance wireless network, associated with a plurality of wireless devices"</p> <p><u>Structure</u>: Service repository 704 embodied as software components described at '033 [5: 65-6: 2], Fig. 7, and/or Bluetooth Service Discovery Protocol, and statutory equivalents</p> | Means-plus-function term with no disclosure of a corresponding structure: Indefinite.                           | <p><u>Samsung</u><br/>Appx A at 49</p> <p><u>BlackBerry</u><br/>Appx A at 25-26</p> <p><u>Apple</u><br/>Appx A at 30</p> | March 9, 2015 Invalidity Contentions, Exs. 033-1 through 033-8 and Exs. 033-10 through 033-21 (claim element 25.c) |

**II. '532 PATENT**

Asserted Claims: 1, 4-5, 7-10, 12, 14-16, and 23-24

| <b>Term No.</b> | <b>Disputed Term</b>   | <b>Plaintiffs' Proposal</b> | <b>Defendants' Proposal</b>  | <b>Citation to Infringement Contentions</b>  | <b>Citation to Invalidity Contentions</b>  |
|-----------------|--|-----------------------------|--|--|--|
| '532-1          | "network service software component that provides one or more network services to the wireless local area network" (Claim 1) | No construction necessary.  | "software component that provides a network capability to one or more layers of the wireless local area network"                 | <u><b>Samsung</b></u><br>Appx B at 7<br><u><b>BlackBerry</b></u><br>Appx B at 7<br><u><b>Apple</b></u><br>Appx B at 8                      | March 9, 2015 Invalidity Contentions, Exs. 532-1 through 532-14 (claim element 1.c.2.[1])) |
| '532-2          | "interface software component" (Claim 1)   | No construction necessary.  | "software component that connects other software components for purposes of passing information from one to another"             | <u><b>Samsung</b></u><br>Appx B at 6, 7, 11<br><u><b>BlackBerry</b></u><br>Appx B at 4, 7, 14<br><u><b>Apple</b></u><br>Appx B at 5, 8, 12 | March 9, 2015 Invalidity Contentions, Exs. 532-1 through 532-14 (claim element 1.c.2.[1])) |
| '532-3          | "loaded into the storage device from the one or more devices connected to the one or more cellular networks"                 | No construction necessary.  | "loaded into the storage device via a cellular network from the one more devices connected to the one or more cellular networks" | <u><b>Samsung</b></u><br>Appx B at 7<br><u><b>BlackBerry</b></u><br>Appx B at 7<br><u><b>Apple</b></u><br>Appx B at 8                      | March 9, 2015 Invalidity Contentions, Exs. 532-1 through 532-14 (claim element 1.c.2.[1])) |

| Term No. | Disputed Term   | Plaintiffs' Proposal       | Defendants' Proposal  | Citation to Infringement Contentions   | Citation to Invalidity Contentions   |
|----------|---|----------------------------|---|--|--|
|          | (Claim 1)   |                            |   |  |  |
| '532-4   | "service level enforcement software component" (Claim 24) | No construction necessary. | "software component that enables a service provider to enforce service level agreements with users" | <u><b>Samsung</b></u><br>Appx B at 33<br><u><b>BlackBerry</b></u><br>Appx B at 30<br><u><b>Apple</b></u><br>Appx B at 27 | March 9, 2015 Invalidity Contentions, Exs. 532-1 through 532-14 (claim element 24.a) |

### III. '648 PATENT

Asserted Claims: 1-2, 7, 9, 14-16, 22-23, 27, and 30

| Term No. | Disputed Term  | Plaintiffs' Proposal       | Defendants' Proposal  | Citation to Infringement Contentions  | Citation to Invalidity Contentions   |
|----------|--|----------------------------|---|---|--|
| '648-1   | "device" / "cellular device"(Claims 1, 14, 15, 30 and their dependents ) | No construction necessary. | <u>device</u> = "a device not capable of direct data communication with a cellular network"<br><u>cellular device</u> = "a device capable of direct data communication with a cellular network" | <u><b>Samsung</b></u><br>Appx C at 1, 2, 4, 6, 7, 11, 12, 14, 17, 20, 21, 25, 26, 27, 28, 30, 32, 35<br><u><b>BlackBerry</b></u><br>Appx C at 1, 2, 3, 5, 7, 8, 9, 12, 13, 14, 16, 17, 18, 19<br><u><b>Apple</b></u><br>Appx C at 2, 3, 5, 6, 7, 8, 10, 11, 12, 15, 16, 17, | March 9, 2015 Invalidity Contentions, Exs. 648-1 through 648-1 through 648-5 and 648-7 through 648-15 (claim elements 1.a, 1.b, 1.c.1, 1.c.2, 1.d, |



| <b>Term No.</b> | <b>Disputed Term</b> | <b>Plaintiffs' Proposal</b> | <b>Defendants' Proposal</b> | <b>Citation to Infringement Contentions</b> | <b>Citation to Invalidity Contentions</b>                                 |
|-----------------|----------------------|-----------------------------|-----------------------------|---|---|
|                 |                      |                             |                             | 18, 19, 20,<br>21, 22, 24,<br>25, 26        | 14.a, 14.b,<br>14.c, 15.a,<br>15.b, 15.c,<br>30.a, 30.a.1,<br>30.c, 30.d) |